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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE DISTRICT OF NEW JERSEY

10 Taiming Zhang) Case No. 2:24-cv-04055
11)
12 Interested Party, movant) response to Liza's lies (DKT 97)
13)
14)
15)
16)

- 17 1. FIRST OF ALL, the letter from Liza (DKT 97), acting as a response in
18 opposition to my motion to dismiss, is filed **way out of time**. Apple HAD
19 time to respond. The time to respond to a motion is by court rules. She did
20 not respond. In any case, responding to a motion in opposition in form of
21 "letter" is not appropriate. As Apple does not have an excuse to file out of
22 time, any such response should be IGNORED and dismissed.
- 23 2. There is a fundamental difference between responding to the motion to
24 sanction—whether Apple should file any response given the DOJ has no
25 right to bring suit, *and whether I get to intervene or have party status*.
26 LIZA used the letter as a personal attack on me—NOT AT ALL
27 answering whether the DOJ has no right to bring suit.
- 28 3. The rule that a party with standing can move for things and represent
29 themselves in court is guaranteed by ARTICLE III. That is a federal
30 statute. FURTHER, Liza calls APA not a federal statute, when APA
31 specifically ordains court should VOID agency actions that are abuse of

discretions. So by nature, in this case, there are TWO statutes granting the right to intervene, which makes it a matter of obligation that court allows intervention.

4. Outside of this, FRCP 24 should not be seen as cancelling common law, which gave interested parties standing and right to plead or to motion. The Supreme Court's ruling quoted by Liza has the full paragraph "When the Government has chosen not to intervene in a qui tam suit, it is (by definition) not a party. And non-parties typically cannot do much of anything in a lawsuit. To be sure, a qui tam action is an unusual creature. Even as a non-party, the Government retains an interest in the suit, and possesses specified rights.", stating that **non-parties w/ interest in suit not in intervention STILL CAN assert things**. Yet Liza quotes this and suggests, I need to first be granted intervention before my motion as an interested party is dealt with, but this is absurd and is w/o any support.
5. Nothing in the text of FRCP 24 supports it annuls any common law.
6. FRCP 24 c says "The motion must state the grounds for intervention and be accompanied by a pleading that sets out the claim or defense for which intervention is sought." **This doesn't support that I have to attach other court judgments or pleadings.** This is yet another LIE misleading court. This counsel must be sanctioned. "a pleading that sets out the claim or defense for which intervention is sought" says I have to make a pleading for the claim or defense intervention is sought for. I'm not intervening in my own case in California am I? She does not stop lying. This is harassment. Service (notice) was done as filed, as they all consented to e-service. She just keeps lying. Even upon being warned of sanctions, she keeps lying. Also, "a pleading" doesn't mean "the pleadings" and they have different meanings. "A pleading" could not refer to a different case. "A pleading" was satisfied as I did briefly mention the DOJ's antitrust case.

7. Further, 24 c applies to all interventions and is mandatory; specifically “must...be accompanied by a pleading that sets out the claim or defense for which intervention is sought” is mandatory for all interventions. For most scenarios listed in 24, there’s no other court judgments or pleadings (no other claim or defense). Also it says “a pleading” not “the pleadings”. So the reasonable person couldn’t be confused as to what it means. Liza lies with pure malice. She must be sanctioned for this harassment and be ordered to personally pay for this harassment.
8. So she was warned a motion of sanctions, she continues to abuse.
9. Liza never dealt with why I believe I have standing, and why such fails. She issued empty assertions brainwashing court into believing I have no standing or right to intervene.
10. The sentence “*Similarly, there is no nexus between questions about the Justice Department’s authority to bring this specific case and any of Mr. Zhang’s accusations against Apple.*” is a lie. Abuse of discretion is well pleaded. With abuse of discretion, they lack authority to bring claim. I also am curious who she’s trying to convince with this obvious lie. She expresses this lie ignoring the clear text of APA and well-pleaded facts.
11. “*But supposed “difficulty in switching devices” has no bearing on the issues Mr. Zhang raises*” is another lie: it is a common question. It is well pleaded that the issues raised by me prove such difficulty.
12. It also is curious: Liza breaches client’s interests by asserting the case shouldn’t be dismissed. This is a material breach of her contract w/ client.
13. As well, the gov’t’s response points out how she misstated the law. She never dived into those accusations. As I said, instead of responding to a letter before sanctions, she pondered a defamatory personal attack on me.
14. I also am curious why my residence has any relevance to her letter, and her ambiguous language of I appear to reside somewhere. Curious.

1 15. For the avoidance of any doubts, this response to lies serves as a letter
2 before sanctions. If she doesn't withdrawal the vexatious arguments (lies)
3 in 21 days, she will be moved to personally pay for her lies and harassment.
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5 **Your honor, there are too many lies. It's crazy. She needs to be stopped.**

6 Declaration

7 I declare under penalty of perjury under the laws of the United States of America
8 that the foregoing is true and correct. (In accordance with 28 U.S. Code § 1746)
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11 Taiming Zhang, movant